

Application No. 10/666,934
Group Art Unit: 1734
Filing Date: January 30, 2002
Examiner: Cheryl N. Hawkins
Title: Bob's Border Helper
Response to Office Action 10/1/2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert R. Pederson and James C. Cicconi, Sr.

Serial No.: 10/666,934

Filing Date: 1/30/2002

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Title: Bob's Border Helper

Faxed: October 28, 2004

Staten Island, New York

RESPONSE TO OFFICE ACTION DATED 10/1/2004

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action mailed 10/1/2004, requiring restriction, Applicants respectfully request reconsideration and withdrawal or modification of the requirement, pursuant to Sections 37 C.F.R. 1.143 and 37 C.F.R. 1.111.

Applicants make a complete reply to the requirement restriction, since Applicants include an election of the invention to be examined even though the requirement be traversed (37 C.F.R. 1.143). Applicants elect invention claimed in Claims 1-9; Applicants cancel Claims 10-18.

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The inventorship need not be amended pursuant to 37 C.F.R. 1.48(b), since both inventors, remain inventors of both inventions (Claims 1-9, and invention Claims 10-18. respectively).

Applicants initially filed this application *pro se*, without the aid of patent counsel on January 30, 2002.

Applicants retained an attorney, Mary A. Whiting, Esq., who filed a Petition to the Commissioner to keep the filing date of 1/30/2002. The Petition was granted on 3/29/2004, granting the 1/30/2002 filing date, and advised Applicants to "to file the subsequently filed papers in the form of a preliminary amendment."

On 10/1/2004, Applicants received this Office Action, requiring restriction under 35 U.S.C. 121. Applicants now submit this response to Office Action dated 10/1/2004. Applicants also respond to the Decision Granting Petition, and submit the subsequently filed papers in the form of a preliminary amendment. Applicants submit drawings, title, abstract, substitute (pursuant to 37 CFR 1.125) and amended specification (reflecting the election of Claims 1-9), and amended claims (reflecting the election of Claims 1-9, and cancellation of Claims 10-18).

In compliance with 37 CFR 1.121, and 37 CFR 1.125 each section begins on a separate sheet. The substitute and amended specification and claims submitted with this amendment have a clean version (Exhibit 1), and a marked up version showing all the changes.

Therefore, please amend the above-identified application as follows: